

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARCIA,

Plaintiff,

-v-

JAKKS PACIFIC, INC. *et al.*,

Defendants.

Case No. 04-CV-8807 (KMK)

QUANTUM EQUITIES LLC,

Plaintiff,

-v-

JAKKS PACIFIC, INC. *et al.*,

Defendants.

Case No. 04-CV-8877 (KMK)

KAHN,

Plaintiff,

-v-

JAKKS PACIFIC, INC. *et al.*,

Defendants.

Case No. 04-CV-8910 (KMK)

JONCO INVESTORS, LLC,

Plaintiff,

-v-

JAKKS PACIFIC, INC. *et al.*,

Defendants.

Case No. 04-CV-9021 (KMK)

IRVINE,

Plaintiff,

-v-

JAKKS PACIFIC, INC. *et al.*,

Defendants.

Case No. 04-CV-9078 (KMK)

ORDER OF CONSOLIDATION

KENNETH M. KARAS, District Judge:

On November 5, 2004, Plaintiff Lydia Garcia filed a class action complaint against Defendants Jakks Pacific, Inc., Joel Bennett, Stephen Berman, and Jack Friedman, alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. §§ 78j(b) and 78t(a), and Rule 10b-5, 17 C.F.R. § 240.10b-5, promulgated by the Securities and Exchange Commission under the Exchange Act.

Thereafter, four additional class action cases were filed, all of which contain nearly identical claims against the same Defendants. (*See* cases captioned above.) The Court shall refer to these five class-action cases as the “Class Actions.”

On January 4, 2005, certain Plaintiffs and their counsel filed motions under 15 U.S.C. § 78u-4 seeking to consolidate the Class Actions, be appointed lead plaintiff, and have their counsel be appointed lead counsel. The Court then scheduled a pre-motion conference for all parties in the Class Actions for today and requested that the parties voluntarily withdraw their motions without prejudice to refiling after the conference.

As stated on the record at today’s conference, the Court finds that the Class

Actions assert “substantially the same claim or claims” arising under the Exchange Act so that consolidation of these cases would be appropriate under 15 U.S.C. § 78u-4(a)(3)(B)(ii). All parties, including Defendants, concur in the request to consolidate the Class Actions.

Accordingly, and as stated on the record at today’s conference, it is hereby

ORDERED that Plaintiffs’ motions for consolidation and appointment of lead plaintiff and lead counsel are REINSTATED and GRANTED insofar as they seek to consolidate the Class Actions. It is further

ORDERED that the Clerk of Court is directed to consolidate all of the above captioned cases for all purposes. It is further

ORDERED that all filings in connection with the consolidated action be docketed in the lowest-numbered case, 04-CV-8807 (KMK). It is further

ORDERED that the Clerk of Court is directed to close the above-captioned higher-numbered cases, 04-CV-8877 (KMK), 04-CV-8910 (KMK), 04-CV-9021 (KMK), and 04-CV-9078 (KMK) as separate actions and remove them from the Court’s docket and ECF system. It is further

ORDERED that the parties shall use the following caption in all filings in the consolidated action:

IN RE JAKKS PACIFIC, INC. SHAREHOLDERS
CLASS ACTION LITIGATION

Case No. 04-CV-8807 (KMK)

It is further

ORDERED that motions to appoint lead plaintiff and lead counsel must be filed no later than **February 1, 2005**. Responses must be filed no later than **February 8, 2005**.

Replies, if any, must be filed no later than **February 11, 2005**. It is further ORDERED that oral argument on the motions is scheduled for **10:00 am** on **March 11, 2005**. Defendants' time to answer the complaint is stayed until that time.

SO ORDERED.

Dated: January 25, 2005
New York, New York



KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE